

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 RYAN S. HERNANDEZ,

14 Defendant.

CASE NO. CR19-0259-JCC

ORDER

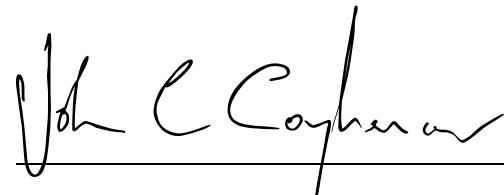
15 This matter comes before the Court on the parties' motions to seal (Dkt. Nos. 41, 44)
16 exhibits to their sentencing memoranda. The Court hereby GRANTS the motions for the reasons
17 explained herein.

18 The Court starts from the position that there is a strong presumption of public access to
19 documents filed in criminal proceedings. *See United States v. Carpenter*, 923 F.3d 1172, 1178–
20 79 (9th Cir. 2019). Documents may be sealed from the public only for compelling reasons that
21 outweigh the public's interest in disclosure. *Carpenter*, 923 F.3d at 1179; *see United States v.*
22 *Doe*, 870 F.3d 991, 998 (9th Cir. 2017); *Oregonian Publ'g Co. v. U.S. Dist. Ct. for Dist. of Or.*,
23 920 F.2d 1462, 1466 (9th Cir. 1990). Here, the Government seeks to maintain under seal
24 educational records, a declaration from a mental health treatment coordinator, and records of
25 Internet and phone activity. (*See* Dkt. No. 42.) The Court finds that Mr. Hernandez and third
26 parties have strong privacy interests in the information contained therein, which outweigh the

1 public's right of access. Similarly, Mr. Hernandez seeks to maintain under seal his psychological
2 evaluations and other mental health treatment records. (See Dkt. Nos. 45, 46, 47.) These records
3 contain highly personal medical information, the disclosure of which could be harmful and is not
4 necessary to assist the public in understanding the basis for the sentence. Accordingly, Mr.
5 Hernandez has demonstrated a compelling reason to seal that outweighs the public's interest in
6 disclosure. The Clerk is DIRECTED to maintain Docket Numbers 42, 45, 46, and 47 under seal.

7 DATED this 22nd day of January 2021.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE